

REPORT

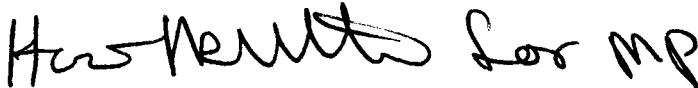
DATE: March 1, 2007

TO: Regional Council (RC)
Transportation and Communications Committee (TCC)

FROM: Naresh Amatya, Program Manager, 213-236-1885, amatya@scag.ca.gov

SUBJECT: Final Administrative Amendment to the 2004 RTP (Gap Analysis) per SAFETEA-LU

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION FOR TCC:

Recommend that the Regional Council approve the Administrative Amendment (Gap Analysis) to the 2004 RTP.

RECOMMENDED ACTION FOR REGIONAL COUNCIL:

Approve the Administrative Amendment (Gap Analysis) to the 2004 RTP and adopt Resolution 07-485-2 related to said Administrative Amendment and the corresponding Addendum to the 2004 RTP Program Environmental Impact Report.

BACKGROUND:

In June of this year, the TCC approved an approach to updating the next RTP which calls for preparing a 'Gap Analysis' that would address the SAFETEA-LU deficiencies in the current RTP. In addition, TCC also approved moving forward concurrently with the full update of the RTP pursuant to SAFETEA-LU required provisions. The Gap Analysis was deemed to be necessary to ensure compliance with the SAFETEA-LU requirements by the statutory deadline of July 1, 2007 so that our planning efforts may continue without disruption until the next fully updated RTP is in place.

Accordingly, a Gap Analysis presented in the form of a "Draft Administrative Modification" was presented to the TCC in December of 2006 and the TCC approved releasing it for a 30-day public review and comments. Comments have been received from FHWA and Caltrans District 7. During the public review period, and in their comment letter, FHWA raised substantive five issues: 1) action steps to achieve full SAFETEA-LU compliance of the next RTP, 2) address fiscal constraint issue raised through the certification process, 3) provide more comprehensive documentation of the Public Participation Plan, 4) provide more comprehensive documentation relative to consultation and cooperation associated with the environmental mitigation, and 5) provide more comprehensive documentation of environmental mitigation activities. [The FHWA also requested that as a matter of form, the document be called an "Administrative Amendment" instead of an "Administrative Modification"]. On the other hand, the comment letter from Caltrans District 7 concurred with the proposed Gap Analysis and observed that it brings the existing 2004 RTP into compliance with the SAFETEA-LU requirements. Therefore, the region should be allowed to move forward with the implementation of the existing RTP beyond the July 1, 2007 deadline.

Staff has fully considered and incorporated the comments from FHWA into the Final Administrative Amendment to the 2004 RTP. Additionally, responses to these comments are documented as part of the final document. A copy of the Final Administrative Amendment or the Gap Analysis is attached to this staff report.

REPORT

In summary, the Final Administrative Amendment addresses the SAFETEA-LU gap in the existing 2004 RTP and meets or maintains the integrity of the original RTP as they relate to conformity, fiscal constraint as well as associated environmental impacts. The Final Administrative document itself is divided into five sections. The first section describes the context and the need for this document. The second section identifies areas where SCAG already met the requirements, including fiscal constraint, consultation and cooperation, participation, electronic publication and access to plans, and visualization techniques. The third section discusses areas of the 2004 RTP that stand to benefit from additional discussion. Those areas include, more in-depth discussion of issues relating to Safety and Security, Environmental Mitigation, and System Preservation. The fourth section reaffirms the valid portions of the existing 2004 RTP, including conformity, fiscal constraint and environmental impact. The last section provides the conclusion describing how this work brings the existing 2004 RTP into compliance with SAFETEA-LU.

Upon adoption by the Regional Council of the Final Administrative Amendment to the 2004 RTP by way of the attached Resolution No. 07-485-2, staff will forward it to the FHWA/FTA for certification. FHWA's certification would mark the successful completion of the SAFETEA-LU compliance process as it should take place prior to the established statutory deadline of July 1, 2007. As intended, the certification of the Administrative Amendment to the 2004 RTP would alleviate the Region of its exposure to adverse impacts from amendment restrictions and set SCAG on course to proceed with the full update of the next RTP.

It should be also noted that Resolution No. 07-485-2 includes provisions whereby the Regional Council would approve an Addendum to the 2005 RTP Program Environmental Impact Report ("Addendum"). For purpose of compliance with CEQA, the Addendum was prepared to evaluate the environmental impacts of the Administrative Amendment (Gap Analysis) and will be presented to the Energy and Environment Committee today to recommend its approval by the Regional Council.

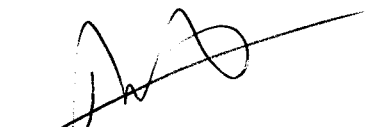
FISCAL IMPACT:

None.

Attachments:

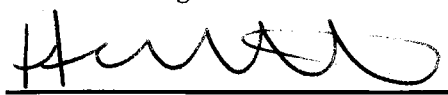
- Resolution No. 07-485-2
- Response to Comments

Reviewed by:



Division Manager

Reviewed by:



Department Director

Reviewed by:

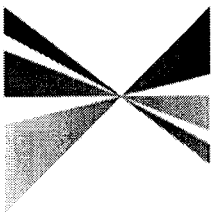
Chief Financial Officer

**Final
Administrative Amendment
(Gap Analysis)**

to

**2004 Regional Transportation Plan
(as amended in July 2006)**

**In compliance with the Planning Requirements
of
Safe, Accountable, Flexible, Efficient,
Transportation Equity Act – A Legacy for Users
(SAFETEA-LU)
Enacted on
August 10, 2005**



**SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS**

March 2007

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I. Introduction

The Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) was signed into law by President George W. Bush on August 10, 2005. SAFETEA-LU presents opportunities as well as challenges in strengthening the existing State and Metropolitan Planning Organization (MPO) transportation planning processes. The Southern California Association of Governments (SCAG), as the MPO for six counties in Southern California, supports and embraces the new requirements and clarifications to existing requirements promulgated through SAFETEA-LU. SCAG believes SAFETEA-LU presents a valuable opportunity to fine tune and strengthen its transportation plans and programs as well as associated planning processes.

This document represents an administrative amendment to SCAG's 2004 Regional Transportation Plan (RTP). The intent is to bring the 2004 RTP into compliance with the planning requirements of the SAFETEA-LU.

SAFETEA-LU extends the RTP update cycle from three to four years for metropolitan planning areas that are designated as nonattainment or maintenance. The SCAG Regional Council adopted its RTP in April 2004 and under the four-year update provision, SCAG would need to update its plan by no later than April of 2008. This time extension allows SCAG to update the RTP in a meaningful and value added manner by including the results of critical studies being conducted in the areas of freight and goods movement, high speed rail, and land use. It also allows SCAG to fully utilize its new travel demand and truck models for RTP analysis and incorporate developments in the finance areas (e.g., the November State ballot for an almost \$20 billion bond). More importantly, the four-year update cycle allows adequate lead time for the next RTP to fully comply with the new emission budgets for the region that are expected to be finalized by the Fall of 2007. Thus the extension in update cycles to 2008 is beneficial for SCAG and its stakeholders alike.

However, SAFETEA-LU also establishes July 1, 2007 as the deadline by which State as well as MPO plans and programs must comply with these expanded planning requirements. The potential implication of not complying with this statutory deadline is that meaningful amendments to the existing plans and programs may not be allowed until an RTP and Regional Transportation Improvement Plan (RTIP) compliant with the provisions of SAFETEA-LU are in place. For a region as large and diverse as SCAG, this gap between the start of the SAFETEA-LU requirements in July 2007, and the projected date of an updated RTP in April 2008, could jeopardize timely delivery of projects worth billions of dollars.

SCAG held numerous discussions with Federal Highway Administration (FHWA) representatives in California as well as Washington, D.C. and with other impacted agencies such as the Ohio Department of Transportation, San Diego Association of Governments and Metropolitan Transportation Commission (MTC) in the Bay Area, to develop a strategy to address these risks.

As a result of these discussions, SCAG concluded that the best approach to meeting the 2007 deadline, while at the same time permitting the 2008 RTP to benefit fully from the Region's ongoing planning studies, was to prepare an administrative amendment to its 2004 RTP and a subsequent amendment to 2006 RTIP to bring them into compliance with SAFETEA-LU. This amendment would, upon approval by FHWA and the Federal Transit Administration (FTA), bring the 2004 RTP in compliance with SAFETEA-LU. Once this is achieved, the RTP and RTIP would no longer face the risk of being frozen during the gap period between the 2007 deadline for compliance with SAFETEA-LU and the adoption of a new SAFETEA-LU compliant RTP in 2008.

Since SAFETEA-LU became effective, the federal agencies responsible for implementing this bill have issued a number of interim guidance documents. Furthermore, a Notice of Proposed Rule Making related to SAFETEA-LU was issued on June 9, 2006. In preparing this administrative modification, SCAG staff reviewed and analyzed all of these documents thoroughly, including the SAFETEA-LU bill. Staff also held several meetings with federal representatives at various levels for guidance and clarification purposes. Furthermore, staff communicated SCAG's position as well as its intent to prepare a gap analysis to the federal representatives in writing. Based on the review and analysis of all pertinent and available documents related to SAFETEA-LU, SCAG staff prepared a matrix identifying key issues, an assessment of whether or not the 2004 RTP addressed the issue and any additional actions that would be necessary to ensure compliance of the 2004 RTP with SAFETEA-LU requirements.

Subsequently, FHWA issued its own "Gap Analysis matrix" that provided guidance to agencies as to how to meet the new SAFETEA-LU requirements. The FHWA matrix formed the basis for the contents of this document and is attached as Appendix A.

In developing this administrative amendment, staff also consulted with appropriate technical and policy committees within SCAG, including the Plans and Programs Technical Advisory Committee, the Transportation Conformity Working Group, and the Transportation and Communications Committee (TCC). Prior to finalizing this document, a preliminary draft was presented to the TCC in December 2006. SCAG's Regional Council is expected to adopt this RTP amendment and forward it to FHWA/FTA by no later than March 2007 for certification.

Based on the discussions with FHWA and FHWA's Gap Analysis Matrix, the remainder of this document has been organized as follows:

- Section II identifies and discusses SAFETEA-LU planning requirements that were adequately addressed in the 2004 RTP
- Section III addresses potential gaps in the 2004 RTP relative to SAFETEA-LU
- Section IV reaffirms the remainder of the 2004 RTP, including conformity, finance plan, and environmental impact report
- Section V summarizes the conclusions of this administrative modification

I. SAFETEA-LU Requirements Addressed in the 2004 RTP

This section identifies and briefly discusses the SAFETEA-LU requirements that were fully addressed in the 2004 RTP. The order of the requirements is based on the FHWA Gap Analysis matrix presented in Appendix A and are as follows:

1. FISCAL CONSTRAINT

SAFETEA-LU included a provision for the addition of transit operators in funding estimates to the overall RTP. For the 2004 RTP, funding estimates were developed in cooperation with the Region's transit operators, utilizing their short-range transit plans to the extent possible and their inputs from various task forces (i.e. Transit Task Force and the Transportation Finance Task Force) were incorporated.

In the joint certification review of southern California's metropolitan planning process, the FHWA and FTA issued a corrective action requiring that SCAG reflect individual project cost information in the next RTP update (both baseline and new projects). In accordance with the federal agencies' certification report, SCAG is currently working with the region's county transportation commissions, Caltrans District representatives, and other local project sponsors to ensure that all projects included in the next RTP update reflect comprehensive project cost information.

SCAG's first step toward addressing this federal corrective action involved a complete review of all baseline projects as reflected in the most updated RTIP (the 2006 RTIP). Regionally significant projects were identified including all projects analyzed in the region's transportation demand model. This comprehensive listing was then circulated to the region's project sponsors to populate individual project cost information. To date, the most updated cost information has been collected for the purpose of updating the RTP. SCAG will continue to monitor these projects for any substantial changes in cost information and reflect these estimates as a part of the RTP update.

2. CONSULTATION AND COOPERATION

The federal guidance for implementing SAFETEA-LU (71 FR 33521; June 9, 2006) identified consultation requirements as including, but not limited to, providing timely information, reasonable public access, and adequate public notice. During the 2004 RTP Programmatic Environmental Impact Report (EIR) planning process, SCAG notified approximately 1,500 stakeholders including land use management, natural resource, environmental protection, historic preservation, and conservation agencies, from local jurisdictions and tribal representatives, as identified in SAFETEA-LU. Section 6.0 of the 2004 RTP Draft EIR included a listing of the organizations and persons consulted during the planning process. Section 2.0 of the 2004 RTP Final

EIR included a list of commenting individuals and organizations and provided responses to the letters received on the Draft 2004 RTP EIR during the comment period.

Furthermore, notifications were also sent to every federal agency involved in approving or funding the listed projects. The notice provided key state and federal agencies and the California Office of Planning and Research with sufficient information, including descriptions of projects and the potential environmental impacts so as to enable the responsible agencies to provide a meaningful response. The notice also included a description of the RTP, a map of the Region impacted by the RTP, and the probable environmental effects of the projects. SCAG also conducted a scoping meeting and provided notice to all counties and cities within the SCAG region, to those communities in the bordering areas, all public agencies with the jurisdiction in the project areas, and other interested parties. The notice is included in Section 7.1 of the Draft EIR. These consultation procedures are the standard practice of SCAG and will be continued and expanded upon during the next RTP cycle.

In addition to the extensive consultation and coordination process followed in the preparation of the environmental document associated with the 2004 RTP, SCAG also followed a rigorous process in coordinating the plan among its numerous stakeholders and interested parties. SCAG followed a bottom-up inter-agency consultation and coordination process in finalizing the 2004 RTP. The first tier of this consultation process involved the 72-member Regional Council, three policy committees and nearly twenty sub-committees and task forces within SCAG. The RTP Technical Advisory Group, the Transportation Conformity Working Group and the Regional Transportation Agencies Coalition were the key forums for inter-agency consultation. All of these bodies met regularly throughout the plan development process, allowing the stakeholders ample time and opportunities to influence the final plan. All of these meetings are public meetings providing opportunities for additional public comments. The second tier of the consultation and coordination process involved meeting and briefing key stakeholders, elected representatives, community groups and leaders on critical aspects of the plan.

Conservation plans and maps as well as inventories of natural or historic resources were considered in the 2004 RTP EIR process. The proposed plans and projects were mapped against existing conservation and resource maps on a regional scale. The following list of maps included in the 2004 RTP EIR depict SCAG's consideration of transportation investment impacts on existing natural, historical and cultural resources:

1. Land Use Patterns (Figure 3.1-1)
2. Open Space and Recreational Lands (Figure 3.1-2)
3. Location of "Prime or Important Farmland" in the SCAG Region (Figure 3.1-6)
4. Air Quality Districts, Basins, and Monitoring Stations (Figure 3.4-1)
5. Potentially Impacted Sensitive Receptors (Figure 3.4-2)

6. Designated Scenic Highways and Vista Points in the SCAG Region (Figure 3.6-1)
7. Vegetation Communities in the SCAG Region (Figure 3.7-2)
8. General Location of Wetlands in the SCAG Region (Figure 3.7-2)
9. Known Sightings or Location of Endangered, Threatened, or Rare Plant or Animal Species in the SCAG Region (Figure 3.7-3)
10. Geomorphic Provinces in the SCAG Region (Figure 3.9-1)
11. General Soil Types in the SCAG Region (Figure 3.9-2)
12. Earthquake Faults and Peak Ground Acceleration in the SCAG Region (Figure 3.9-3)
13. Areas Subject to Subsidence in the SCAG Region (Figure 3.9-4)
14. Relative Landslide Potential in the SCAG Region (Figure 3.9-5)
15. Location of Soils with Moderate to High Erosion Potential in the SCAG Region (Figure 3.9-6)
16. Major Surface Waters in the SCAG Region (Figure 3.12-2)
17. Impaired Water Bodies in the SCAG Region (Figure 3.12-3)
18. Groundwater Basins in the SCAG Region (Figure 3.12-4)
19. Areas Using Imported Water in the SCAG Region (Figure 3.12-5)
20. Federally Designated Flood Hazard Zones in the SCAG Region (Figure 3.12-7)
21. Regional Water Quality Control Board Boundaries in the SCAG Region (Figure 3.12-8)
22. Water Agencies in the SCAG Region (Figure 3.12-9)
23. Federal Nonattainment Areas for Ozone, CO, NO₂, and PM₁₀ (Table 3.4-5)
24. Noise Measurement Locations in the SCAG Region (and accompanying table of measurements) (Table 3.5-2)
25. Natural Community Conservation Plan (NCCP) Designated Lands in the SCAG Region (Table 3.7-6)
26. Location of Land Grants in the SCAG Region – Spanish Period (1769-1822) (Table 3.8-3)
27. Location of Land Grants in the SCAG Region – Mexican Period (1822-1848) (Table 3.8-4)
28. National Register of Historic Places and California Historic Landmark Sites in the SCAG Region (Table 7.6)

The mapping process compared the RTP with available conservation plans and inventories of historic and natural resources. SCAG RTP projects were mapped at a large scale on top of these resources to identify any potential for conflict between the proposed projects and the identified resources. The results of this mapping and comparison were discussed in the 2004 RTP EIR and will be continued during the next RTP cycle. The key maps and databases are presented in Appendix B of this document.

3. INTERESTED PARTIES AND PARTICIPATION

The SAFETEA-LU requires that a formal Public Participation Plan be developed in consultation and coordination with the "interested parties" allowing necessary public review prior to final adoption. While a Public Participation plan was not formally adopted for the 2004 RTP, a public outreach strategy was presented to SCAG's Communications Task Force prior to full scale outreach efforts associated with the 2004 RTP. The outreach strategy as well as the actual outreach effort was fully documented in the Technical Appendix H of the 2004 RTP. The document clearly identified key stakeholders, impacted public agencies and community groups and other interested parties that responded to the RTP as well as the development process and how their concerns were addressed.

Public Participation Plan

Public participation and communication are continuous themes and processes at SCAG. Since the adoption of the 2004 RTP and particularly in response to SAFETEA-LU, SCAG has been in the process of developing a Public Participation Plan. A draft of this plan was presented to SCAG's Transportation and Communications Committee (TCC) in October 2006 and released for public review and comments. A copy of the Public Participation Plan is included in this document as Appendix C. SCAG's Regional Council will be asked to adopt this plan upon successful conclusion of the public review process. Once formally adopted by the Regional Council, this plan will guide the outreach effort during the 2008 RTP Update process.

Coordination with Tribal Governments

SAFETEA-LU has a special emphasis on involving tribal governments in transportation planning decisions. SCAG has a history of doing more than most MPOs in the nation to ensure the inclusion of Tribal Governments in the decision making process. This section describes SCAG's effort in this arena.

There are 109 federally-recognized Tribal Governments in California, sixteen of which are located in the SCAG Region. Eleven of these Tribes are located in Riverside County, four are located in San Bernardino County and one is in Imperial County. Some reservations cross county and state lines. For example, Ventura County is home to a band of Quechan Indians, which also has a federally-recognized band in Arizona and California.

In recent years, both the federal and state governments have placed increasing importance on the involvement of Tribal Governments in the regional planning process. In 1997, the California Department of Transportation (Caltrans) established the Native American Advisory Committee to improve the government-to-government relationship with the Indian Tribes of California. This Committee provides advice to

the Director of the Department regarding matters of interest or concern to the Tribal Governments and their constituents.

The Transportation Equity Act of the 21st Century (TEA-21) of 1998 and state transportation planning law emphasized the importance of involving Native American Tribal Governments in the regional transportation planning process. As a designated MPO under federal law and as a Regional Transportation Planning Agency (RTPA) under state law, SCAG must ensure that regional transportation plans and programs include a public participation process that involves Native Americans and consultation with federally-recognized Tribal Governments. As a federally defined ethnic minority, Native Americans must also be considered in the environmental justice analysis with respect to the benefits and burdens of transportation plans, programs and policies¹.

SCAG is the nation's largest MPO to take the step of providing the region's federally-recognized Tribal Governments with formal representation on the region's policy-making committees. In November 2002, the SCAG Regional Council adopted a Strategic Plan to set a course for the organization through the first decade of the 21st Century. One of the goals in the Strategic Plan called for establishing a formal role for Native Americans in the regional transportation planning process. SCAG began a series of summit meetings in 2003 with leaders from the respective Tribal Governments and their representatives. The summits were designed to explain SCAG's roles and responsibilities for the Region, to encourage the Tribal Governments to provide their input regarding the Region's transportation plan, to receive input from the Tribal Governments regarding the 2004 Draft RP and to identify how the Tribal Governments could participate more effectively in the regional planning process.

In June 2004, SCAG hired a consultant to help facilitate the participation of Tribal Governments in the regional transportation planning process. As a result of the initial summit meetings with the Tribal Governments, SCAG appointed the representatives from two Tribes to SCAG's Maglev Task Force. The September 2003, February 2004 and March 2004 Summits provided the Tribal Governments with opportunities to receive a number of presentations about various SCAG plans and programs. They were also afforded the opportunity to provide comments, especially in regard to the Draft 2004 RTP. Some of the outcomes that were initiated by SCAG as a result of the Summit meetings with the Tribal Governments included adding them to SCAG policy committee mailing lists and other communications or outreach lists to ensure that Tribal Governments were being informed of regional planning activities. In the late Spring and early Summer of 2005, SCAG convened a number of successive meetings with the Tribal Governments and their staff to further define and develop how the two could work together more effectively.

¹ SCAG RFP No. 05-046.

In June 2005, SCAG established a Tribal Government Relations Task Force to facilitate negotiations regarding the formal participatory framework for the Tribal Governments within the SCAG planning process. The SCAG Tribal Government Relations Task Force subsequently released draft language that documented how the Tribal Governments would participate at SCAG. The Tribal Government Relations Task Force met with the Tribal Governments to present the proposed language and to receive input. Comments from the Tribal Governments were incorporated and forwarded for approval and adoption into SCAG's by-laws.

In May 2006, SCAG's Regional Council voted to revise its by-laws to formally establish a policy-making role for the Tribal Governments in the Region. The by-laws essentially provided a total of seven voting seats on SCAG's various policy committees. The revised by-laws recognized a new Tribal Government Regional Planning Board that would consist of federally-recognized Tribal Governments from within the SCAG region. With this decision, a locally elected member from the Tribal Government Regional Planning Board would also be elected to serve on the SCAG Regional Council and Administration Committee as a full voting member. The purpose of selecting Tribal Government council members that are elected by the Tribes themselves, was to ensure their participation as voting members on SCAG's policy committees. In addition, two voting seats were added to each of SCAG's three policy committees.

The efforts to encourage the participation of Tribal Governments in the regional planning process is reflective of SCAG's intention to go beyond the legal requirements of: (1) public participation; (2) environmental justice and (3) consultation. SCAG recognizes that it is good planning practice and good public policy to communicate with and incorporate comments from all the communities within the Region. In light of the recent urbanization and economic activities experienced on many of the reservations, there is no question that the cooperative efforts of SCAG and the Tribal Governments have become increasingly important. These efforts will lead to new found opportunities for continued collaborative work toward regional solutions.

4. ELECTRONIC PUBLICATION AND ACCESS TO PLANS

All 2004 RTP products, meeting minutes, presentation materials, and comments were made available via the World Wide Web. The EIR for the 2004 RTP was placed on the SCAG website at <http://scag.ca.gov/environment/eir.htm>. The website provided access to each individual issue area as well as mitigation measures and all related maps.

All of the documents were made available in portable document format (PDF), an electronically accessible format, on the World Wide Web. Public notices included references to the electronic accessibility of plans and CDs of the RTP and EIR were produced and distributed. Both the RTP and EIR remain available on the SCAG website.

5. VISUALIZATION TECHNIQUES

The latest visualization techniques were utilized in presenting and communicating plans, programs, and ideas put forth in the 2004 RTP. Power point presentations were utilized to the fullest extent possible at all outreach meetings as well as committee meetings. Static as well as interactive geographic information system (GIS) tools were utilized to simulate and depict growth patterns, infrastructure systems along with geographic and geological features. The latest analytical tools, including spreadsheets and graphing techniques were utilized to analyze and describe historic trends, fiscal outlooks, and system performance, among others. A suite of web based interactive tools were also developed specifically to simulate and evaluate various growth patterns and scenarios.

6. CONGESTION MANAGEMENT PROCESS

SAFETEA-LU changed U.S.C.134(i)(3) to characterize congestion management as a "process" rather than a "system" and includes other minor changes with respect to the language and areas of emphasis. The intent was to reiterate the importance of the congestion management process to Transportation Management Agency (TMA) transportation planning and programming.

Certain state laws can constitute a congestion management process if the Secretary of Transportation finds that the state laws are consistent with, and meet the intent of the legislation. California laws related to congestion management process are found under Government Code, Sections 65088 and 65099.

SCAG's congestion management program (CMP) complies with SAFETEA-LU requirements. SCAG has made the CMP an integral part of the regional transportation planning process, and has defined regional CMP elements to consist of the following:

- The Regional Transportation Plan (RTP)
- The Congestion Management Programs of individual counties
- The Regional Transportation Implementation Program (RTIP).

In addition, a set of criteria, developed by SCAG and the County Congestion Management Agencies in early 1995, ensures consistency and compatibility between the regional transportation planning process and the county congestion management process. These criteria are as follows:

- CMP consistency with the current RTP
- Interregional (inter-county) coordination between the CMPs goals and objectives

- Consistency between county-wide model/database and SCAG's model/database
- All regionally significant CMP projects are to be modeled and incorporated into SCAG's Regional Transportation Modeling System (network)

Compliance with the above criteria is essential, particularly for those CMP projects to be programmed into the SCAG RTIP.

With the exception of small portions of Riverside and San Bernardino counties, all counties contained within the TMA are designated as ozone nonattainment areas. In addition, the entire South Coast Air Basin, which covers the urbanized portions of Los Angeles, Riverside and San Bernardino counties as well as all of Orange County, is designated as a carbon monoxide nonattainment area.

Federal funds may not be programmed in the carbon monoxide and ozone non-attainment areas of the TMAs for any project resulting in a significant increase in single occupant vehicle (SOV) capacity unless that project is based on a congestion management system (CMS). In the SCAG region, the federally approved and conforming RTP serves this purpose.

By California law, all CMPs perform the same functions and are consistent with the federal CMS requirements. These functions are:

- Highway performance monitoring and evaluation
- Multi-Modal performance monitoring and evaluation
- Transportation Demand Management (TDM)
- Land-Use programs and analysis
- Capital Improvement Program
- Deficiency plan

When unacceptable levels of congestion occur, the respective CMP contains a set of provisions for a "deficiency plan" to address the problems. A deficiency plan can be developed for specific problem areas or on a countywide-system basis. Projects implemented through the deficiency plan must, by State statute, have both mobility and air quality benefits. In many cases, the deficiency plan captures the benefits of the transportation projects that occur beyond the SCAG RTIP, such as non-federally funded/non-regionally significant projects.

In addition, other congestion management related processes are incorporated into the RTP. These include:

Regionally Significant Transportation Investment Studies (RSTIS)

Within the context of regional transportation planning, the Regionally Significant Transportation Investment Study (RSTIS) process provides a tool that requires a multi-modal transportation alternative analysis. RSTIS is the SCAG established

process, adopted as part of the RTP process. In the federally designated nonattainment and maintenance areas, it is required to ensure other alternatives to SOV are considered in improving the mobility and air quality of a corridor or a sub-area.

Intelligent Transportation Systems (ITS)

SCAG's 2004 RTP contained an Intelligent Transportation System (ITS) program as a key element of SCAG's congestion reduction strategies. There are Transportation Management Centers (TMCs) using advanced integrated ITS technologies in all four Caltrans Districts (7, 8, 11, and 12) serving the SCAG region. New TMCs are under construction and will replace temporary facilities in Districts 7 and 8.

California Highway Patrol incident data, changeable message signs, and transit information are available to travelers on the internet, handheld computers, pagers, and other portable communications devices. Research completed for SCAG in 2002 by the Volpe National Laboratory indicated a high propensity of traveler information users to shift departure time, reduce or eliminate trips, and shift mode in response to real time congestion information.

Currently, over 800 centerline miles of freeway system in the urbanized portion of the SCAG region have full traffic detection capabilities, and coverage with over 300 video cameras. Additional detection devices are being added on portions of Interstate -15, Route 71, and Route 110. Most of this information is available to the public through a variety of public and private information service providers.

Additionally, the local arterial ITS infrastructure is supported by over 15,000 detection devices and hundreds of video cameras, providing for optimized signal synchronization and traffic flow in response to conditions throughout the day. Local arterials are also being equipped with a growing number of the changeable message signs at critical locations such as major arterial and special event centers to provide real time motorist information to improve traffic management.

III. Addressing the Gaps

This section addresses gaps in the 2004 RTP per SAFETEA-LU requirements. The order of requirements is based on the FHWA Gap Analysis matrix in Appendix A and are summarized as follows:

1. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING FACTORS

A. Safety

SAFETEA-LU added a new stand-alone factor to “increase the *safety* of the transportation system for motorized and non-motorized users.” The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Review current safety goals, objectives, performance measures, and strategies.
- Ensure that adequate safety data are available to support development of a safety element in statewide and metropolitan transportation plans.
- Ensure outreach to and input from safety stakeholders.
- Incorporate the Strategic Highway Safety Plan (SHSP) element into statewide and metropolitan transportation plans (for metropolitan transportation plans, use the portion of the SHSP related to the MPO region).
- Incorporate the transit System Safety Program Plan (if available) into statewide and metropolitan transportation plans.
- Review TIP/STIP project selection criteria to ensure they reflect safety priorities (e.g., SHSP and/or MPO region’s priorities).

Addressing the Gap

SCAG’s Regional Council adopted the following goals for the 2004 RTP:

Adopted 2004 RTP Goals

- 1 *Maximize **mobility** and **accessibility** for all people and goods in the region*
- 2 *Ensure travel **safety** and **reliability** for all people and goods in the region*
- 3 ***Preserve** and ensure a **sustainable** regional transportation system*
- 4 *Maximize the **productivity** of our transportation system*
- 5 *Protect the **environment**, improve air quality and promote energy efficiency*
- 6 *Encourage **land use and growth patterns** that complement our transportation investments*

Goal 2 addressed safety for all people and goods. Furthermore, the guiding policies also emphasized the need to address safety as shown in the following list from the 2004 RTP:

Adopted 2004 RTP Policies

- 1 *Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.*
- 2 ***Ensuring safety***, *adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.*
- 3 *RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.*
- 4 *HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy #1.*

Finally, the RTP performance measures also addressed safety as shown in the partial performance measures, indicators, and outcomes below. It notes that the 2004 RTP aimed to improve safety as measured by accidents per million vehicle miles by 0.5 percent despite the increase in demand on the transportation system. Safety performance objectives and outcomes were established based on extensive technical analysis work that involved reviewing and assessing historical highway and transit safety data and applying the data to assess the potential effectiveness of the investment strategies proposed in the plan. The work was fully coordinated with the relevant SCAG committees and task forces including the RTP Technical Advisory Committee. Safety stakeholders were allowed every opportunity, through the SCAG committee structure as well as public outreach and the public hearing process, to provide input in the development of the safety element of the plan. Clearly, safety was an area of emphasis in the 2004 RTP.

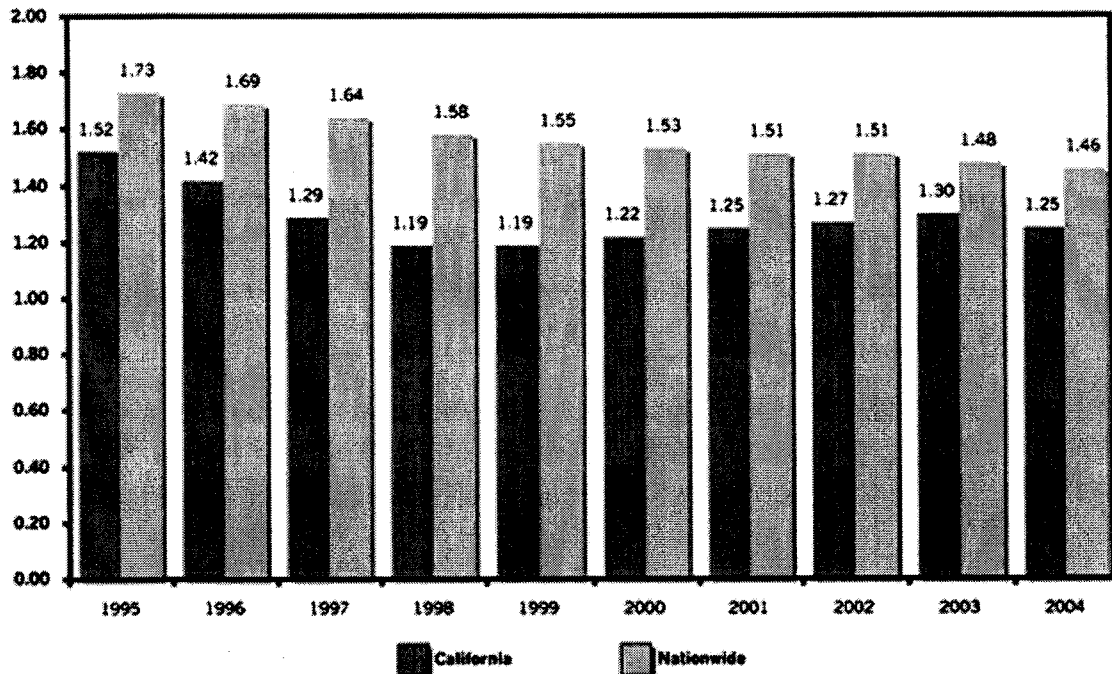
Performance Indicators, Measures and Outcome

<i>Performance Indicator</i>	<i>Performance Measure(s)</i>	<i>Definition</i>	<i>Performance Outcome</i>
Mobility	<ul style="list-style-type: none"> • Average Daily Speed • Average Daily Delay 	<p><u>Speed</u> - experienced by travelers regardless of mode</p> <p><u>Delay</u> - excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are the indicators used.</p>	<p>11% improvement</p> <p>37% improvement</p>
Accessibility	<ul style="list-style-type: none"> • Percent PM peak period work trips within 45 minutes of home • Distribution of work trip travel times 		<p>Auto: 90%</p> <p>Transit: 35%</p> <p>Auto: 7% improvement</p> <p>Transit: 6% improvement</p>
Reliability	<ul style="list-style-type: none"> • Percent variation in travel time 	Day-to-day change in travel times experienced by travelers. Variability results from accidents, weather, road closures, system problems and other non-recurrent conditions.	10% improvement
Safety	<ul style="list-style-type: none"> • Accident Rates 	Measured in accidents per million vehicle miles by mode.	0.5% improvement

Caltrans recently published the final version of the statewide SHSP in September 2006. The SHSP guides safety activities within the State of California regarding all users on all public roadways. The SHSP key points are as follows:

- Highlighted challenges to roadway user safety on California's roads.
- Painted the picture of fatalities experienced on California's roads.
- Proposed high-level strategies to reduce fatalities for each challenge.
- Serves as a guide for the implementation of specific projects and activities through 2010.

The SHSP presented the fatality rates (measured as fatalities per 100 million vehicle miles traveled) in California from 1995 through 2004 as shown below and compared them to the national average. It also identified 16 challenge areas that the State is committed to address to reduce these rates further and improve the safety of the traveling public on the State Highway System.



SCAG worked closely with Caltrans and other stakeholders to develop the SHSP and will incorporate specific action items in the 2008 RTP update.

Specific action steps SCAG will undertake in ensuring full compliance of the next RTP with SAFETEA-LU with respect to the Safety Element include:

- ◆ Review existing safety goals, policies and objectives in relation to the adopted SHSP and make appropriate adjustments by spring of 2007.
- ◆ Incorporate pertinent data and information in the SHSP into the next RTP update to the extent possible by summer of 2007.
- ◆ Review and incorporate applicable transit system safety plans, non-motorized transportation safety measures as well as rail safety plans to the extent they are relevant, applicable and available by summer of 2007.
- ◆ Continue to involve and engage key safety stakeholders, including Caltrans, County Transportation Commissions, transit operators, California Highway Patrol, user group representatives of transit, motorized as well as non-motorized in finalizing the Safety Element throughout the RTP development process.
- ◆ Continue to make every effort to gather and assemble the most current safety data on highway, transit as well as non-motorized transportation systems for use in the full RTP Update.

- ◆ Complete a draft Safety Element for the next RTP based upon these steps by late summer of 2007.

B. Security

SAFETEA-LU added a new stand-alone factor to “increase the *security* of the transportation system for motorized and non-motorized users.” The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Review current statewide and metropolitan transportation plans for emergency planning/security elements.
- Incorporate the transit System Security Program Plan (required for rail systems) into statewide and metropolitan transportation plans.
- Define the role of the public transportation operators/MPO/State in promoting security (e.g., review State/local legislation for roles and responsibilities).
- Identify critical facilities and transportation system elements (e.g., transit system, rails, ports, Interstate system, NHS routes, and STRAHNET routes).
- Develop security goals and appropriate strategies (this may be an important role for MPOs and/or States that are near or on the Mexico/Canada borders).

Addressing the Gap

SCAG uses the following definitions to differentiate between safety and security:

- *Safety* is the protection of persons and property from *unintentional damage* or destruction caused by accidental or natural events.
- *Security* is the protection of persons or property from *intentional damage* or destruction caused by vandalism, criminal activity or terrorist attacks.²

The 2004 RTP addressed transportation system security. It aimed to help protect travelers and goods from both natural and man-made disasters. As part of the 2004 RTP development, the SCAG Highway and Finance Task Force adopted a set of guiding principles in developing the highway improvement strategies, including *“projects that enhance safety and security.” As a matter of policy transportation capacity improvement projects that are included in the Plans and Programs must consider safety and security issues.*

The capital projects contained in the RTP are divided into three broad categories based on level of funding commitments. First tier or Baseline consists of projects

² National Cooperative Highway Research Program Report 525 Volume 3, “Incorporating Security into the Transportation Planning Process.” Daniel Dornan and M. Patricia Maier, 2005

that are committed in the RTIP with completed EIRs. Tier 2 projects are also projects in the RTIP but the EIR work have yet to be completed. The third tier or Constrained projects are all remaining capital projects in the RTP that can be funded with the available revenue identified in the plan. There were approximately 15 projects in the 2004 RTP Baseline and Tier 2 list that directly enhanced the transportation system security. In addition, the 2004 RTP proposed over \$30 million in investment over and beyond the short-term commitments to enhance transportation security in the Region. It should be noted that funding for numerous projects had dual purposes in that, while serving other needs, they also enhanced security.

In the 2004 RTP, SCAG also recognized the importance of rail capacity in meeting national security needs. Approximately \$1.2 billion in rail capacity improvements and \$2.2 billion in rail mitigation investments were called for as part of the regional rail capacity improvement program. It was noted that *"Failure to build these improvements could jeopardize economic growth, environmental quality, and national security."*

Identification of Critical Facilities and Transportation System Elements

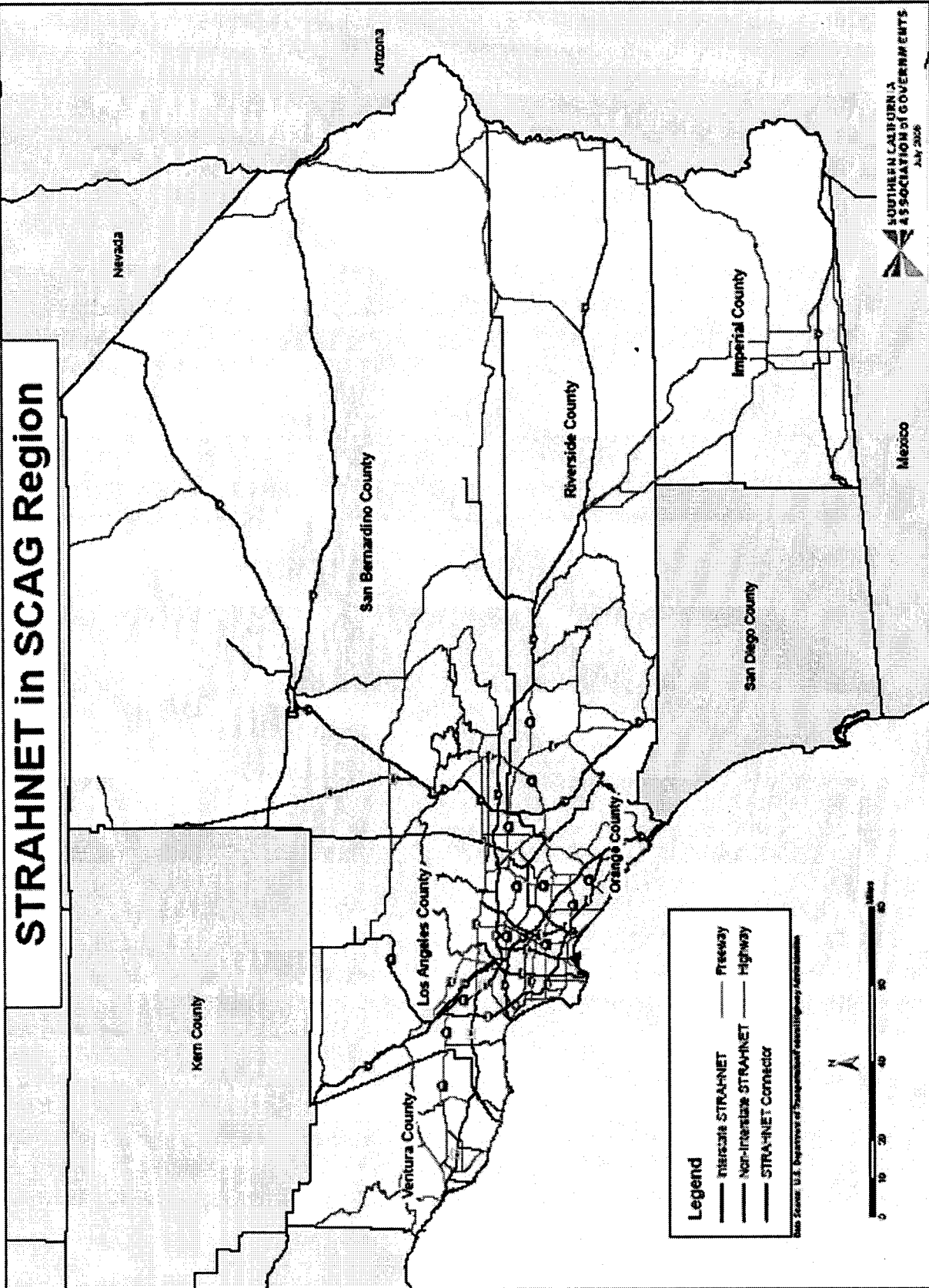
There have been several assessments of the critical infrastructure statewide, which include identification of the key transportation facilities. Assessments have been conducted by the following bodies:

- The Governor's Office of Emergency Services
- The California Attorney General's Office
- The California Highway Patrol (CHP) conducted a vulnerability assessment of the State's highway system and has issued a confidential report to the State Legislature

The results of these assessments have been shared with the transportation system operators and incorporated into their security planning. However, security considerations have precluded the inclusion or discussion of these critical system elements in public documents.

Strategic Highway Network (STRAHNET)

In terms of national priorities, STRAHNET routes within the SCAG region are essential to readily accommodate the movement of military supplies and personnel in times of national emergency. STRAHNET routes include the National Interstate system, as well as key "non-interstate" routes and connectors to ports and military installations. An unclassified visual representation of the STRAHNET within the SCAG region follows on the next page.



Rail and Mass Transit Security

Since the early 1990s, the California Public Utilities Commission has required that transit agencies operating rail systems prepare a comprehensive System Safety Program Plan (SSPP) that also included a security component. Accordingly, the Los Angeles County Metropolitan Transportation Authority (Metro) had a rail security plan in place that they were able to quickly apply in the development of transit System Security Program Plans. At the time of the 2004 RTP, all transit agencies had a security and emergency management plan, which detailed how the agency would coordinate with local and regional first responder (law enforcement and fire) agencies, their respective County Office of Emergency Services and the statewide Standardized Emergency Management System (SEMS).

Metro, as one of the nation's largest public transportation operators, has taken a lead role in developing transit security programs and planning, including the following:

- In July, 2002, the Metro Board adopted a security policy that included "... targeting security costs attributable to the Enterprise Fund at five percent (5%) of the total Metro operating cost, including security cost, in any year and starting on FY04."
- Metro received \$4.6 million in Urban Area Security Initiative (UASI) Transit System Security Grant Program funds from the Department of Homeland Security (DHS) in FY2003.
- Transit agencies that applied for DHS Transit Security Grants Program (TSGP) funds were required to prepare and submit a Security and Emergency Preparedness Plan (SEPP). The SEPP is a comprehensive plan that identifies how the transit agency would address any shortfalls in protection against Improvised Explosive Devices (IEDs) and other prevention, detection and response capabilities identified as a part of a risk assessment. As the lead Tier 1 transit agency in the SCAG region, Metro had prepared an SEPP at the time of the 2004 RTP.

Metro is also the lead agency on the development of the Regional Transit Security Strategy (RTSS). The RTSS is an overarching framework for the region with mode-specific goals and objectives as they relate to prevention, detection, response, and recovery as a sustainable effort to protect regional transit systems' critical infrastructure from terrorism, with an emphasis on explosives and non-conventional threats that would cause major loss of life and severe disruption to the system. As the MPO for the Region, SCAG supports the development of the RTSS.

In addition, transit agencies within the Region have undertaken some or all of the following security measures:

- Hiring more police and security officials
- Installing surveillance systems
- Providing terrorism awareness training for transit employees, including bus drivers, maintenance workers, and Amtrak workers
- Enhancing underground gas-detection systems (Metro)

Seaports

The Department of Homeland Security (DHS) has designated the seaports of Long Beach and Los Angeles as Tier 1 ports, and Port Hueneme as Tier 4, where Tier 1 indicates the highest risk for potential terrorist actions³. Security at the ports is the joint responsibility of the U.S. Coast Guard, the U.S. Customs and Border Protection Agency, and local law enforcement and emergency service agencies. The U.S. Coast Guard leads the local Area Maritime Security Commission which coordinates activities and resources for all port stakeholders. Specific security measures have included the following:

- Expanded surveillance systems
- Increased marine and helicopter patrols
- Improved diving inspection capabilities
- Development of terminal security plans and implementation of security measures at each terminal as required by the federal Maritime Transportation Security Act of 2002
- Implementation of the Custom-Trade Partnership Against Terrorism (C-PAT) program, which is a voluntary alliance of shippers aimed at improving security standards throughout the cargo supply chain.

Airports

Airport security planning is the joint responsibility of the federal Transportation Security Administration (TSA), the airlines and the individual airports. Airports in the SCAG region have upgraded their security systems since 9/11 using a variety of strategies including:

- Remodeling their infrastructure to provide secure space for the TSA security screeners
- Installing baggage screening devices
- Hiring additional police and bomb-sniffing dogs
- Installing vehicle checkpoints that may be activated as warranted by threat levels
- Installing additional surveillance systems
- Reinforcing perimeter fences.

³ Fiscal Year 2006 Infrastructure Protection Program. U.S. Department of Homeland Security, September 25, 2006.

Each airport has prepared a security plan in conjunction with local and regional emergency service providers.

SCAG is in the process of finalizing selection of a security consultant team to assist SCAG in developing the Security Element for the next RTP. The following are key action steps anticipated.

- ◆ Review, assess and identify the deficiencies in the 2004 RTP by the spring of 2007.
- ◆ Identify key stakeholders involved in maintaining transportation system security by the spring of 2007.
- ◆ Identify and describe the existing transportation security assets and procedures in place in case of emergencies, whether they be natural or man made by summer of 2007.
- ◆ Identify needs, opportunity areas and a potential role for SCAG to enhance and strengthen the region's transportation security system by summer of 2007.
- ◆ Based on the findings of these steps, prepare a Draft Security Element of the next RTP by late summer of 2007.

C. Environmental Planning Factor

SAFETEA-LU expanded the environmental factor by adding the phrase "promote consistency of transportation plan and transportation improvements with State and local planned growth and economic development patterns." The FHWA Gap Analysis matrix suggests the following potential "closing the gap" steps:

- MPOs/State Departments of Transportation (DOTs) review current process to coordinate transportation and land use/economic development planning.
- Where needed, consider methods to improve or expand coordination.
- Identify implementation timeframes.
- Include appropriate activities in statewide/metropolitan transportation planning work programs, as well as in MPO Participation Plans.

Addressing the Gap

The 2004 RTP EIR addressed how the transportation improvements in the RTP were consistent with State and local planned growth and economic

development patterns. The 2004 RTP and EIR (and the 1996 Regional Comprehensive Plan and Guide) contained growth projections and associated policies that either encouraged or discouraged growth in certain directions. For example in-fill growth, neighborhood protection and growth adjacent to transit nodes were encouraged while "leap frog" development was discouraged. SCAG's growth projections are required to be consistent with California's Department of Finance (DOF) projections for the Region. County and city General Plans are required to be consistent with regional plans including the RCP and RTP and associated growth projections. Thus there is a close relationship between the SCAG planning and growth projection processes and local planning.

Prior to the publication of the RTP, SCAG staff met with local planning agencies to ensure that the growth projections to be used in the RTP were consistent with local plans and forecasts. The 2004 RTP EIR analyzed the impact of the RTP plans, policies, projects and the anticipated growth. The EIR was circulated for public comment and comments were responded to as part of the CEQA process. No comments were received regarding the adequacy or consistency of the growth projections with state and local planned growth and economic development patterns.

2. ENVIRONMENTAL MITIGATION

SAFETEA-LU requires MPO and statewide transportation plans to include "discussion" of environmental mitigation activities. It further requires that this discussion shall be developed with Federal, State, and Tribal wildlife, land management, and regulatory agencies. The FHWA Gap Analysis matrix suggests the following potential "closing the gap" steps:

- Metropolitan and statewide transportation plans must include a generalized discussion of potential mitigation activities (at the policy/strategy level, not project specific).
- Compare transportation plans with available State conservation plans, maps, and inventories.

Addressing the Gap

SAFETEA-LU requires that "a long-range transportation plan shall include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan." The EIR for the 2004 RTP described 195 strategy-level mitigation measures which could minimize significant adverse impacts.

The 2004 RTP mitigated environmental impacts to the maximum extent feasible. The adopted mitigation measures were typical for transportation and development projects and they have been demonstrated to be effective. A Mitigation Monitoring and Reporting Program for the 2004 RTP was also adopted to ensure implementation of the adopted mitigation measures to reduce significant effects on the environment. This monitoring program is in Table 1 of the 2004 RTP Final Environmental Impact Report.

As part of the Gap Analysis, SCAG conducted expanded consultation associated with the 2004 RTP EIR mitigation measures. These mitigation measures were developed with the inclusion of Federal, State, and Tribal wildlife, land management and regulatory agencies. As SCAG prepares the next RTP, this consultation will be incorporated to the maximum extent feasible. Future planning activities, including environmental mitigation discussions, will be developed with the key agencies identified in SAFETEA-LU.

3. CONSULTATION AND COOPERATION

SAFETEA-LU requires consultation with non-metropolitan local officials and Tribal governments in the development of the long-range statewide transportation plan and Statewide Transportation Improvement Program (STIP). It also requires that MPOs and State DOTs consult with local and state land use management, natural resource, historic preservation and other agencies in the development of transportation plans. The FHWA Gap Analysis matrix suggests the following potential “closing the gap” step:

- Compare transportation plans with available conservation plans and maps and/or compare with available inventories of historic or natural resources.

Addressing the Gap

Consultations associated with the 2004 RTP EIR included several notices that were published in newspapers, posted at the County Clerk’s office, distributed to the California State Clearinghouse as well as being mailed to an extensive distribution list at key points during the environmental review process. These consultations included the following notices:

- Notice of Preparation of the EIR
- Notice of Completion of the Draft EIR, the Draft Final EIR
- Notice of Determination.

The SCAG EIR distribution list contained approximately 1,500 contacts. It included local jurisdictions and land use management, natural resource, environmental protection, historic preservation, conservation and tribal representatives as identified in SAFETEA-LU. In addition, prior to the publication of the RTP, SCAG staff met with local planning agencies to ensure that the projections to be used in the RTP were consistent with local plans and forecasts.

These consultation practices are standard in the SCAG region and will be followed and expanded upon during the 2008 RTP update. In addition, SCAG conducted expanded consultation associated with the 2004 RTP EIR mitigation measures as part of the Gap Analysis in October 2006. The list of contacts, correspondence, notes and other material from these workshops is included in Appendix D.

The outreach effort conducted as part of the Administrative Amendment with regard to environmental mitigation was extensive. SCAG held two public workshops in October 2006 to solicit input on the 2004 RTP environmental mitigation measures. The result of the outreach has been integrated into this document and will be included in the next RTP update as applicable.

SCAG invited over 300 key contacts to the environmental mitigation workshops held on October 10 and 12, 2006. To initiate consultation with key contacts, SCAG first sent an invitation letter and attached a list of mitigation measures from the 2004 RTP EIR. The contacts included all the planning directors in the region as well as Federal, State, Tribal land use planning, natural resource, wildlife, environmental protection, historic preservation, conservation, and transportation agencies.

SCAG also developed an informative flyer, describing the expanded outreach effort, and distributed it throughout the region. The flyers were distributed to SCAG's Regional Council; Energy and Environment Committee; Transportation and Communications Committee, the Community; Economic and Human Development Committee; Plans and Programs Technical Advisory Committee; Open Space Working Group; Energy Working Group; Transportation Conformity Working Group; and Subregional Coordinators. These groups are comprised of elected officials, federal and state agencies, resource agencies, tribal governments, interest groups, and other stakeholders in the region.

SCAG staff followed up with approximately 50 key contacts with a phone call and encouraged their participation. This personal outreach included the U.S. Environmental Protection Agency, the Federal Highway Administration, the U.S. Army Corps of Engineers, the U.S.D.A. Forest Service, the National Marine and Fisheries, Caltrans, California Department of Fish and Game, and all tribal chairs.

Lastly, SCAG publicized the environmental mitigation workshops online and included information about the workshops in SCAG's E-Vision September newsletter which has a distribution of approximately 1,500. A full list of the contacts and outreach materials can be found in Appendix D of the Administrative Amendment to the 2004 RTP, Expanded Consultation Conducted in October 2006.

The purpose of the environmental mitigation workshops was to obtain additional input on the 2004 RTP EIR mitigation measures and to address them in the gap analysis, as feasible. This effort addressed SAFETEA-LU's requirement that, "a long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan." In addition, this effort addressed the SAFETEA-LU requirement that "the discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies." SCAG intends to continue to improve the RTP mitigation measures and to make them as useful as possible for use in subsequent environmental documents for specific projects.

Each workshop began with a presentation by SCAG that discussed both the 2004 RTP and the SAFETEA-LU requirements and the mitigation measures included in the 2004 RTP EIR. The second half of the workshop encouraged discussion and comments from the participants. The discussion questions posed by SCAG included the following:

How could the current mitigation measures included in the 2004 RTP EIR be written to be of more assistance to you/your agency when writing Tier 2 documents?

Can you identify additional measures/performance standards that could reduce the number/volume of Tier 2 documents that you prepare?

For trustee and resource agencies, please provide your thoughts on whether there are technical details and/or more specific performance standards that could be reasonably used to help identify and protect important regional resources.

The discussion during the workshop on October 10th focused on mitigation to protect open space and critical habitat, mitigation monitoring, and implementation of the mitigation measures. The discussion during the workshop on October 12th focused on how SCAG's efforts could streamline environmental planning. One action resulting from the workshops includes a response to all the comments received as part of the environmental mitigation workshops. This document is included in Appendix D of the Administrative Amendment.

SCAG also received four letters in response to the mitigation outreach effort from the City of Rancho Palos Verdes, National Marine Fisheries Service, County of Ventura, and U.S. EPA. These letters are included in Appendix D. In general, the letters identified areas where SCAG and the respective agency could work together to ensure greater consistency in mitigation programs. The U.S. EPA also requested more information about SCAG's methodology and implementation strategy. In response to the letter from the U.S. EPA, SCAG held a follow up conference call on November 16, 2006 to explain the mitigation measures in the 2004 RTP EIR and to discuss how SCAG will implement SAFETEA-LU in the next RTP.

As SCAG prepares the next RTP, the comments received during the expanded consultation will be incorporated to the maximum extent feasible. Future planning activities, including environmental mitigation discussions, will be developed with the key agencies identified in SAFETEA-LU. Furthermore, as in previous RTPs, the next RTP will include a mitigation program, creating additional linkages between transportation planning and the environment as required by SAFETEA-LU. SCAG will use the input received at the workshops to further assist lead agencies with environmental documents for subsequent projects, or tiered documents. The RTP update will also include a mitigation discussion and utilize documents created by the federal agencies to guide environmental planning for transportation projects.

At the same time as the next RTP is being prepared, SCAG is also preparing an update to the RCP, which will feature nine chapters; each based on a specific area of planning or resource management. The resource areas include land use and housing, solid and hazardous waste, energy, air quality, open space and habitat, economy, water, transportation, security and emergency preparedness, and finance. The RCP will be coordinated with the RTP. The RCP will serve as a model for coordinating State, local, and regional planning processes, and for directing innovative regulatory and financial tools for plan implementation. SCAG will also explore ways to protect wildlife corridors, particularly through the Open Space Working Group and the Regional Comprehensive Plan's (RCP) Open Space and Habitat Chapter. More information on SCAG's RCP update is located at <http://scag.ca.gov/rcp/>.

4. TRANSPORTATION FACILITIES

SAFETEA-LU requires the inclusion of operations and management strategies in metropolitan transportation plans and long-range statewide transportation plans. The FHWA Gap Analysis matrix suggests the following potential "closing the gap" steps:

- Determine if the current transportation plan adequately addresses operations and management strategies (for both the transit and highway network).
- Develop/confirm performance measures for the transportation system operations and management, with the focus on mobility and safety.
- Consider and develop strategies and costs (capital and operational investment) to preserve the existing transportation system.

Addressing the Gap

The 2004 RTP addressed operations and management strategies as part of an overall system management philosophy and is depicted in the exhibit below (Figure 4.2 in the 2004 RTP).



This philosophy was built on a system monitoring and evaluation foundation and specifically identified maintenance and preservation as a critical component of system management. It also identified key operational strategies, including:

- Incident management
- Traffic control (e.g., ramp metering)
- Traveler information
- Operational strategies (i.e., physical improvements to help traffic flow and address bottlenecks).

The same philosophy was applied to other modes as well. For transit, operational strategies included fare payment integration through investments in Smart Card fare media and the implementation of Bus Rapid Transit (BRT).

The 2004 RTP also identified performance measures that addressed operational efficiency, including:

- Mobility – Travel time, speed
- Reliability – Variation in travel time
- Productivity – Percent utilization during peak demand conditions
- Safety – Accident rates by mode
- Preservation – Maintenance cost per capita to preserve the system at an acceptable condition such as base year
- Sustainability – Per capita cost of maintaining system preservation as well as system performance at an acceptable level

The 2004 RTP listed the performance results for the base case for each of these measures and set a goal to accomplish as part of the RTP implementation.

In order to achieve these performance goals, the RTP set aside investments in both preservation and operational strategies. Nearly \$6.6 billion were secured for roadway preservation (Table 4.1 in the 2004 RTP) projects while maintenance costs for transit were included as part of the county's expenditures.

The 2004 RTP also included a \$1.3 billion investment in operational strategies in the Region, including flow improving physical improvements, freeway service patrol, and transportation management systems (TMS).

Since the adoption of the 2004 RTP, SCAG has worked closely with Caltrans to implement its system management strategies. The State has embraced these strategies and committed to corridor system management studies to identify the most appropriate investments for each major corridor. In November of 2006 voters approved Measure 1B- which dedicates \$4.5 billion to corridor mobility improvements. The California Transportation Commission developed guidelines for project selection from these funds, which emphasizes the need for corridor system management plans, a focus on operations, and having a framework for comprehensive performance assessments.

SCAG will continue to work with Caltrans and other stakeholders to focus on preservation and operations investments that improve the performance of the Region's multi-modal transportation system. The work and the details of these investments will be reported in the 2008 RTP.

The following are key action steps in finalizing this element of the next RTP.

- ◆ Complete a review and assessment of the O&M Element contained in the 2004 RTP by spring of 2007.
- ◆ Assess the current state of O&M in the region by late spring of 2007.
- ◆ Identify critical O&M needs (costs) and major strategies to be considered in the next RTP by summer of 2007.
- ◆ Seek input from the stakeholders and interest groups relative to O&M needs and strategies throughout the development of the next RTP.
- ◆ Finalize the O&M Element of the next RTP by late fall of 2007.

IV. Reaffirmation of the Valid Portions of the 2004 RTP

1. TRANSPORTATION CONFORMITY

As discussed in this Gap Analysis, there are no changes to the any of the required conformity components of the 2004 RTP, i.e., list and scope of projects, changes to financial constraint, timely implementation of transportation control measures (TCMs), or inter-agency consultation. Therefore, there is no need for a new regional emission analysis, financial constraint analysis, or timely implementation of TCMs analysis. Consequently, this document reaffirms the validity of conformity on the 2004 RTP made by FHWA/FTA on October 2, 2006.

2. FISCAL CONSTRAINT

It is clear that this administrative amendment to the 2004 RTP, as amended in July 2006, does not propose any change to scope, cost or delivery schedule for any of the projects and programs identified in the plan. Furthermore, the underlying growth forecast and revenue assumptions contained in the current plan will not be changed by the proposed action. Therefore, the fiscal integrity of the 2004 RTP, as currently adopted, remains valid and intact.

3. ENVIRONMENTAL IMPACT

After completing the programmatic environmental assessment of these changes, SCAG finds that the adoption of the proposed administrative modification would not result in either new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The proposed changes as expressed in the administrative modification, therefore, are not substantial changes which would require major revisions to the PEIR. Furthermore, SCAG finds that the administrative modification does not significantly affect the comparison of alternatives or the potential significant impacts previously disclosed in the 2004 PEIR. As such, SCAG has assessed the administrative modification at the programmatic level, and finds that inclusion of this supplemental documentation is consistent with the analysis, mitigation measures and Findings of Fact contained in the 2004 RTP EIR. Accordingly, a subsequent or supplemental EIR is not required and this SAFETEA-LU Addendum to the 2004 RTP PEIR fulfills the requirements of CEQA.

V. Conclusion

In conclusion, this 'administrative amendment' to SCAG's existing 2004 RTP brings it into conformance with the planning requirements of the SAFETEA-LU. Therefore, a SAFETEA-LU compliant Regional Transportation Plan will be in place in the SCAG region upon adoption of this document by SCAG's Regional Council and subsequent certification by FHWA/FTA. This will allow SCAG to continue moving forward with the implementation of the 2004 RTP beyond July 1, 2007.

In preparing this document staff reviewed and analyzed the SAFETEA-LU bill as well as all pertinent directives, interim guidance as well as proposed new rules issued by FHWA/FTA. In particular, this document follows and addresses the new requirements identified in a Gap Matrix made available in April of 2006 by FHWA attached here as Appendix A.

Section II of this document describes how and where some of the new requirements were already met in the 2004 RTP. Section III addresses all the new and/or expanded requirements that were not fully met. The 2008 RTP will further expand on these new requirements as appropriate.

It is important to note that this administrative amendment does not change the projects defined in the 2004 SCAG RTP and therefore does not, in any way, change the finance plan to deliver these projects. Therefore, this document does not change the conformity findings of the 2004 RTP nor does it result in any additional environmental impact beyond the range addressed by the CEQA document associated with the 2004 RTP.

Therefore, SCAG urges FHWA/FTA to find this administrative amendment to be satisfactory and adequate in meeting the planning requirements of SAFETEA-LU, thereby, deeming the 2004 RTP to be compliant with SAFETEA-LU. SCAG will work closely with FHWA/FTA in addressing any questions or concerns that may arise to ensure timely certification of this amendment.

RESOLUTION No. 07-485-2

RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS APPROVING AN ADMINISTRATIVE AMENDMENT TO THE 2004 REGIONAL TRANSPORTATION PLAN (2004 RTP) AND AN ADDENDUM TO THE 2004 RTP PROGRAM ENVIRONMENTAL IMPACT REPORT

WHEREAS, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to Section 6502 et seq. of the California Government Code;

WHEREAS, SCAG is the designated Metropolitan Planning Organization (MPO) pursuant to 23 U.S.C. §134(d) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, and as such is responsible for preparing the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) pursuant to 23 U.S.C. §134 et seq., 49 U.S.C. §5303 et seq., and 23 C.F.R. §450.312;

WHEREAS, SCAG is the designated Regional Transportation Planning Agency (RTPA) under state law, and as such is responsible for preparing, adopting and updating the RTP pursuant to Government Code Sections 65080 et seq.;

WHEREAS, the projects included in the RTP must be based on the continuing, cooperative, and comprehensive transportation planning process mandated by 23 U.S.C. §134(c)(3) and 23 C.F.R. §450.312;

WHEREAS, pursuant to 23 C.F.R. §450.316(b)(1)(iv), SCAG must provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including approval of plans and transportation improvement programs (the applicable comment period shall be at least 30 days for the plan, transportation improvement program and major amendments);

WHEREAS, Section 130252(a) of the California Public Utilities Code prohibits county transportation commissions from approving any plan proposed for the design, construction, and implementation of public mass transit systems or projects, including federal-aid and state highway projects, which do not conform to the adopted Regional Transportation Plan;

WHEREAS, on April 1, 2004, SCAG approved and adopted the 2004 RTP;

WHEREAS, on June 7, 2004, the federal agencies found that the 2004 RTP conforms to the applicable State Implementation Plan (SIP) in accordance with the provisions of 40 CFR Parts 51 and 93;

WHEREAS, on August 10, 2005, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law, Pub. L. No. 109-59, Title VI, Section 6001(a), 119 Stat. 1839. SAFETEA-LU includes new and revised metropolitan transportation planning provisions and requires that the RTP and RTIP updates reflect these provisions beginning July 1, 2007;

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WHEREAS, on December 8, 2005, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued a Clarifying Guidance on Implementation of SAFETEA-LU Planning Provisions, and this guidance stated that MPOs in nonattainment and maintenance areas may take advantage of the four-year SAFETEA-LU update cycles for transportation plans immediately, and that on and after July 1, 2007, all state and MPO actions on RTPs and RTIPs (including amendments, revisions, or updates) must completely reflect all SAFETEA-LU planning provisions prior to FHWA/FTA action;

WHEREAS, on July 6, 2006, the Regional Council determined that it desired to take advantage of the four-year update cycle permitted under SAFETEA-LU, but recognized that taking advantage of the four-year update cycle, which would result in adoption of the next RTP update in April 2008, could jeopardize the region's ability to do RTP and RTIP amendments after July 1, 2007, and correspondingly, the region's ability to implement its transportation improvements. To address this risk, the Regional Council directed staff to update the 2004 RTP to bring it into compliance with SAFETEA-LU before July 1, 2007;

WHEREAS, SCAG staff has conducted an analysis of the 2004 RTP relative to the new and revised metropolitan transportation planning provisions in SAFETEA-LU and identified the key issues or "gaps" in the 2004 RTP which need to be addressed in order to comply with SAFETEA-LU. As part of this undertaking, SCAG staff utilized a matrix developed by FTA in April 2006, which provided illustrative action steps to assist MPOs in making their planning products "SAFETEA-LU compliant";

WHEREAS, staff has addressed these gaps by way of preparing an Administrative Amendment to the 2004 RTP (hereinafter referred to as the "Administrative Amendment");

WHEREAS, amendments to the RTP must be consistent with the December 1999 RTP Guidelines and 2003 Supplement to the RTP Guidelines prepared by the California Transportation Commission;

WHEREAS, amendments to the RTP must be consistent with all other applicable provisions of federal and state law including:

- (1) SAFETEA-LU (23 U.S.C. §134 et seq.);
- (2) The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;
- (3) Government Code §65080 et seq.;
- (4) §§174 and 176(c) and (d) of the Federal Clean Air Act [42 U.S.C. §§7504 and 7506(c) and (d)];
- (5) Title VI of the 1964 Civil Rights Act and the Title VI assurance executed by the State pursuant to 23 U.S.C. §324;
- (6) The Department of Transportation's Final Environmental Justice Strategy (60 Fed. Reg. 33896 (June 29, 1995)) enacted pursuant to Executive Order 12898,

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which seeks to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment; and

(7) Title II of the 1990 Americans with Disabilities Act (42 U.S.C. §§12101 et seq.) and accompanying regulations at 49 C.F.R. §27, 37, and 38;

WHEREAS, pursuant to Section 176(c) of the Federal Clean Air Act (42 U.S.C. §7506(c)), no project may receive Federal funding unless it comes from an RTP that has been found to conform to the applicable SIP;

WHEREAS, given that the Administrative Amendment does not add, modify, or delete any projects in the 2004 RTP, the 2004 RTP remains financially constrained for all fiscal years, and all South Coast Air Basin TCM projects in the federally approved conforming 2004 RTP and 2006 RTIP are given funding priority and are on schedule for timely implementation;

WHEREAS, in accordance with the interagency consultation requirements, 40 C.F.R. 93.105, SCAG consulted with the respective transportation and air quality planning agencies, which involved discussion of a draft of the Administrative Amendment with the the Transportation Conformity Working Group (a forum for implementing the interagency consultation requirements) on November 28, 2006. In addition, the required public review and comment process was undertaken. Specifically, the draft of the Administrative Amendment was reviewed by the Transportation and Communications Committee on December 14, 2006, who in turn authorized the release of the draft of the Administrative Amendment for a 30-day public review and comment;

WHEREAS, comments were received from FHWA and Caltrans District 7 during the public review and comment period. Staff has fully considered these comments into the final version of the Administrative Amendment;

WHEREAS, SCAG is required to comply with the California Environmental Quality Act ("CEQA") [Cal. Pub. Res. Code § 21000 et seq.] in amending the Regional Transportation Plan;

WHEREAS, in April 2004, SCAG adopted and certified the Final Regional Transportation Plan Program Environmental Impact Report ("Final PEIR");

WHEREAS, when an EIR has been certified and the project is modified or otherwise changed after certification, then additional CEQA review may be necessary;

WHEREAS, an addendum may be prepared by the Lead Agency that prepared the original EIR if some changes or additions are necessary, but none of the conditions have occurred requiring preparation of a Subsequent EIR (CEQA Guidelines Section 15164(a), Cal. Administrative Code, Title 14);

WHEREAS, for the reasons set forth in the Addendum to the Final PEIR, SCAG determined that an addendum to the Final PEIR is the appropriate CEQA document because the proposed Administrative Amendment to the 2004 RTP does not

meet the conditions of CEQA Guidelines Section 15162(a) for preparation of a Subsequent EIR;

WHEREAS, SCAG prepared the Addendum to the Final PEIR in order to evaluate the environmental impacts of the Administrative Amendment to the 2004 RTP; and

WHEREAS, SCAG staff has determined that adoption of the proposed Administrative Amendment to the 2004 RTP would not result in either new environmental significant effects or a substantial increase in the severity of previously identified significant effects.

NOW, THEREFORE BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments as follows:

1. The Regional Council approves and adopts the Administrative Amendment to the 2004 RTP for the purpose of complying with the requirements of SAFETEA-LU. In adopting this Administrative Amendment, the Regional Council finds as follows:

- a. The Administrative Amendment to the 2004 RTP complies with all applicable federal and state requirements, including the SAFETEA-LU planning provisions. Specifically, the Administrative Amendment addresses the following issues or “gaps” so as to comply with SAFETEA-LU: safety, security, environmental mitigation, consultation and cooperation, and transportation facilities.
- b. The Administrative Amendment to the 2004 RTP does not add, modify, or delete any projects in the 2004 RTP, and therefore the 2004 RTP as amended remains financially constrained and continues to conform to the applicable SIP in accordance with the Clean Air Act and Environmental Protection Agency conformity regulations;

2. The Regional Council hereby approves the Addendum to the Final PEIR for the 2004 RTP and finds as follows:

- a. Proposed changes to the 2004 RTP as expressed in the Administrative Amendment are not substantial changes which would require major revisions to the Final PEIR. The Addendum to the Final PEIR for the 2004 RTP fulfills SCAG’s requirements for CEQA compliance, and no further CEQA document is required.

3. In approving the Administrative Amendment to the 2004 RTP and the Addendum to the PEIR for the 2004 RTP, the Regional Council approves the staff findings and incorporates all of the foregoing recitals.

4. SCAG’s Executive Director or his designee is authorized to transmit the Administrative Amendment to the 2004 RTP and its conformity findings to the Federal Transit Administration and the Federal Highway Administration to make the final conformity determination in accordance with the Federal Clean Air Act and EPA Transportation Conformity Rule at 40 C.F.R. Parts 51 and 93.

Resolution #07-485-2

APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at a regular meeting this 1st day of March 2007.

Yvonne B. Burke
President
Supervisor, County of Los Angeles

Attested by:

Mark Pisano
Executive Director

Approved as to Form:

Joanna Africa
Interim Director of Legal Services

DRAFT ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 RTP

Summary of Public Comments and Responses

In November 2006, the Southern California Association of Governments (SCAG) completed a draft gap analysis to bring the existing 2004 Regional Transportation Plan into compliance with the federal requirements set forth in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The Draft Gap Analysis was submitted to Federal Highway Administration and Caltrans for review and comments in November 2006. The Draft Gap Analysis was subsequently posted to SCAG's website on December 12, 2006 for a 30-day public comments period. On November 16, 2006, the Draft Gap Analysis was presented to SCAG's Plans and Programs Technical Advisory Committee for review by metropolitan planning area stakeholders. It was presented to the Transportation Conformity Working Group on November 28, 2006. SCAG's Transportation and Communications Committee reviewed and authorized the release of the Draft Gap analysis on December 14, 2006 for a 30-day public comment period.

The following table is a comprehensive summary of the comments received to date with regard to the Draft Gap Analysis and SCAG's responses respective to the issues raised. In sum, SCAG received comments from FHWA and Caltrans and has taken every step necessary to respond and follow through with requested actions.

**Response to Comments
ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN**

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
1/11/07	Rose Casey Deputy District Director	Caltrans District 7	The Department (Caltrans) has completed the review of the SCAG Administrative Modification (Gap Analysis) to 2004 Regional Transportation Plan (as amended in July 2006) and accepts SCAG's approach to comply with SAFETEA-LU requirements. It is the Department's opinion that this administrative modification document brings the existing 2004 RTP into compliance with SAFETEA-LU requirements and should allow SCAG to continue moving forward with the implementation of the 2004 RTP beyond July 1, 2007.	Comment duly noted.
			<p>Comment 1</p> <p>The SAFETEA-LU planning provisions will affect the planning process more than the final products. Therefore, as part of the gap analysis, FHWA expects that there will be specifically identified steps and schedules to address any gaps in the planning process for the 2008 RTP update. For a number of the items, SCAG makes a general comment that additional efforts will be undertaken as part of the 2008 RTP update, but no specific activities or steps are provided. These steps would be similar to the Action Plan SCAG developed for the 2004 RTP, but they will be for the development of the 2008 RTP.</p> <p>Requested Action</p> <p>Specifically identify the steps that will be taken and their anticipated schedule to achieve full SAFETEA-LU compliance for the development of the 2008 RTP. Consider the following questions when identifying the step that will be taken for the 2008 RTP update process (see below for comments from Attachment 2).</p> <ul style="list-style-type: none"> • Safety of the System for Motorized and Non-motorized Users How will the Strategic Highway Safety Plan be incorporated into the 2008 RTP? What safety stakeholders are currently involved in the RTP process? Is SCAG trying to identify any additional stakeholders? Are the 2004 RTP safety goals, objectives, performance measures or strategies being updated? Will the transit System Safety Plan be incorporated into the 2008 RTP? Does SCAG have adequate safety data to support the development of the safety element? • Increased Security of the Transportation System for Motorized and Non-Motorized Users Will the transit System Safety Plan be incorporated into the 2008 RTP? Are the roles of the public transportation operators adequately defined for purposes of system security for the 2008? • Financial Constraint SCAG should strive for continued improvement to the revenue and cost elements of the RTP. How will project costs be updated on an ongoing basis? Does SCAG need to update financial information in the RTP based on the FHWA/FTA Interim Guidance on Fiscal Constraint of Transportation Plans and Programs? 	<p>Final 'Gap Analysis' identifies specific action steps and milestones that will be pursued to ensure full SAFETEA-LU compliance of the next RTP.</p> <p>Final 'Gap Analysis' identifies specific action steps and milestones that will be pursued to develop a SAFETEA-LU compliant Safety Element for the Motorized as well as Non-motorized transportation systems in the next RTP.</p> <p>Final 'Gap Analysis' identifies specific action steps and milestones that will be pursued to develop a SAFETEA-LU compliant Security Element for the Motorized as well as Non-motorized transportation systems in the next RTP. As described in the Gap Analysis, all available and relevant Transit System Safety Plans will be incorporated into this element. Transit safety and security issues will be vetted through the Regional Transit Task Force which is primarily comprised of transit operators.</p> <p>Improving revenue and cost elements of the RTP is an ongoing endeavor at SCAG. Significant improvements are underway for both revenue forecast/planning as well as project cost accounting, which will be fully reflected in the next RTP update. The final financial element of the next RTP will fully comply with the requirements of SAFETEA-LU.</p>
12/13/06	Gene Fong Division Administrator	USDOT/FHWA		

ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<ul style="list-style-type: none"> Discussion of Environmental Mitigation Elements of the EIR process that address this requirement should be directly incorporated into the 2008 RTP. Do Resources agency contacts have to be reviewed to make sure all the interested parties are represented? Will SCAG contact these entities and ask how the consultation process could be improved? Has SCAG identified any additional resources where the data will need to be collected for the 2008 RTP? If so, how will SCAG collect that data? Will the process be modified as a result of the workshops SCAG held with the Resources Agencies? Consultation and Cooperation How will SCAG incorporate the state EIR process to meet the consultation and cooperation requirements for the 2008 RTP? Transportation Facilities Do the performance measures from the 2004 RTP have to be updated? Will SCAG need to include more explicit discussion of maintenance and operating costs within the financial constraint discussion? 	<p>As suggested, the 2008 RTP will directly incorporate elements of the EIR process that address the environmental mitigation requirement of SAFETEA-LU.</p> <p>SCAG will identify the consultation undertaken with federal, state, tribal, wildlife, land management, and regulatory agencies to make the 2008 RTP SAFETEA-LU consistent. In conducting the consultation effort, SCAG will review all contact information and ensure all interested parties are represented. SCAG will also contact the interested parties to inquire how to improve the consultation process.</p> <p>SCAG has just begun to analyze data resources for the 2008 RTP EIR. Most of the environmental data will be obtained from similar sources as in the 2004 RTP (California Department of Fish and Game, State Office of Historic Preservation, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, etc.). SCAG is also consulting with resource agencies to obtain the most recent data, specifically data regarding open space and habitat resources. Additional environmental information will be collected from the appropriate resource agencies and staff as needed. SCAG welcomes input from the FHWA/FTA on additional data resources.</p> <p>The RTP EIR is a companion document to the RTP. SCAG will summarize those elements of the EIR process that address the consultation and cooperation requirements in the 2007/2008 RTP.</p> <p>The 2004 RTP includes performance measures intended to address the system maintenance/preservation issue. SCAG will further refine this measure in the next RTP update and continue to reflect the maintenance and operating costs within the context of financial constraint.</p> <p>Specific reference to the work that is being completed as part of the supplemental certification documentation relative to project costs has been added to the final 'Gap Analysis'.</p>
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>Comment 2 Fiscal Constraint Fiscal constraint continues to be a vital component of the transportation planning process under SAFETEA-LU. SCAG is currently updating project costs per the corrective action in the Federal certification report. This effort should be referenced in the fiscal constraint section of the gap analysis.</p> <p>Requested Action Include a reference to supplemental certification documentation.</p>	
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>Comment 3 Public Participation Plan SAFETEA-LU compliant public participation plans are to be developed from a clean slate while documenting how interested parties were involved in the development of the procedures. If this document (gap analysis) was, in fact, produced in such a manner, please provide supplemental information.</p> <p>From the proposed public participation plan [page 3, item (j)] SCAG will hold any public meetings at convenient and accessible locations and times. SCAG informed the FHWA that it would no longer hold public meetings in the outlying areas of SCAG because of little to no attendance as well as the fact that public comments were not being received. The SCAG coverage area is extensive and varied in interest and population make-up. SCAG should address how it plans to give the outlying areas access to its public involvement process.</p>	

Response to Comments

ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>Requested Action</p> <ul style="list-style-type: none"> Please document how interested parties were involved in the development of the procedures. What methodology did SCAG use to create the draft? Further, please add that the public participation plan should be called a participation plan in the spirit of SAFETEA-LU. 	<p>SCAG's draft Public Participation Plan was developed and released for comment to a broad range of public and private interests. Development of the draft document spanned a five-month period and included a review of and enhancements to SCAG's existing adopted Plan based on previous lessons learned and public comments received on the 2004 RTP, a review of SAFETEA-LU requirements, review and comments by those who work with many of the interested parties identified in the SAFETEA-LU requirements, and a review of Public Participation Plans by other metropolitan planning organizations throughout the country.</p> <p>The draft Public Participation Plan was released for an initial 45-day public review and comment period and posted on SCAG's web site beginning October 17, 2006 through the close of the public comment period on December 8, 2006. A notice of the draft Plan's availability was posted in one major newspaper in each county (Los Angeles Times, Orange County Register, San Bernardino Sun, Riverside Press Enterprise, Ventura County Star, and Imperial Valley Press) plus La Opinion and the Chinese Daily News. In addition, copies of the draft Plan were distributed to 46 local libraries, 14 subregions, 16 Tribal Government Chairs, various environmental and resource organizations, federal and state agencies, representatives of the disabled, pedestrians and bicycle users, the county transportation commissions, air districts, and other interested parties. Copies of the draft Plan were also available at the November Regional Council meeting as well as SCAG's lobby (open to the public) during the entire public comment period.</p> <p>In response to comments received from FHWA in a letter dated December 13, 2006, SCAG extended the public comment period through February 28, 2007. During this period, SCAG was invited to make a formal presentation on the draft Public Participation Plan to bus operators on January 16 and the Orange County Council of Governments' Technical Advisory Committee meeting on February 6.</p> <p>SCAG continued its efforts to further reach out to agencies by sending additional copies of the draft Public Participation Plan to 38 federal and state resource agencies. This effort was followed up with two separate electronic reminder messages seeking comments and feedback on the Plan. In addition, SCAG invited interested parties (with a heavy emphasis on federal and state resource agencies as well as the subregions) to attend a presentation on the draft Public Participation Plan on Tuesday, February 6 in the SCAG offices. One subregional representative attended the presentation. During early February, SCAG telephoned each of the federal and state resource agencies once again seeking comments and offering to make presentations at the respective agency location. SCAG also reached out to the county transportation commissions both electronically as well as by telephone to elicit comments to the draft Plan. To date, SCAG has received comments from one Tribal Government, one member city, one county transportation commission, three subregions, two resource agencies and one private business.</p> <p>In general, those who responded indicated that they have received and reviewed the Public Participation Plan, that the plan looks fine and that they did not have any other specific comments. One commenter from a local natural resource agency indicated that they did not have the staff available to review this type of plan nor were they interested in an on-site presentation. However, they did offer to assist SCAG in draft plan distribution and further outreach when plans such as the RTP, RCP and RTP are available. In total, SCAG's draft Public Participation Plan was available for public comment for a period of 133 days. SCAG has made every effort to reach out to interested parties, encourage feedback, and involve interested parties in the development of the Plan's strategies and procedures.</p> <p>SCAG discussed the pros and cons of referring to the Plan as a Public Participation Plan prior to the draft Plan's release and in the end chose to include the word "Public" based on the primary definition of the word "relating to or affecting all the people or the whole area of a nation or state or region." The word public instills the sense of people, mankind, community and without the use of the word public, this sense is lost.</p>

ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<ul style="list-style-type: none"> Please identify how SCAG will provide access to its public involvement process throughout the region. 	<p>We have no knowledge that SCAG informed FHWA that it would no longer hold public meetings in the outlying areas of SCAG because of little to no attendance. In fact, the contrary is true. Our region is vast and we make every attempt to reach all corners of the region with our messages. During the past year, SCAG held over 150 documented presentations in all six counties throughout the SCAG region. In addition, SCAG continues to meet with its sister agencies in San Diego and Kern County on a regular basis. There has been renewed activity in the Southwest Compact Task Force efforts, including recent public hearings in Imperial County, Mexicali, Mexico and Yuma, Arizona. In addition, SCAG continues to expand its Member Relations Officers section to ensure that traditionally underrepresented segments within the region are appropriately served. SCAG has also taken significant steps to increase participation by Tribal Governments, most of which are located within the Inland Empire. This has occurred through numerous meetings with Tribal Governments and their representatives during the past four years. And the recent efforts by SCAG staff to conduct 14 public workshops, one in each of the 14 subregions during the months of October and November 2006 on the integrated growth forecasts and regional housing needs assessment only exemplify the continuing efforts of SCAG to reach all corners of the region.</p> <p>The initial intent of this language was to address the extent to which SCAG can implement a particular procedure based upon resource and budget availability. However, we recognize that it could be misconstrued as a means to not implement a specific procedure at all and therefore have removed this copy from the document.</p>
129			<p>Comment 4</p> <p>Consultation and Cooperation</p> <p>SAFETEA-LU calls for expanded consultation with federal, state, tribal, wildlife, land management, and other regulatory agencies. To satisfy this gap analysis, the RTP should specifically reference the Environmental Impact Report (EIR) and its role in addressing the RTP requirement for consultation and cooperation. The <i>Requested Actions</i> sections below outlines, in detail, areas needing attention.</p> <p>Requested Action</p> <ul style="list-style-type: none"> If applicable, SCAG should copy into the RTP the section in the EIR it is relying upon to meet the SAFETEA-LU requirement. Document public outreach/involvement and RTP processes using visualization techniques. 	<p>As suggested, the 2008 RTP will directly incorporate elements of the EIR process that address the environmental mitigation requirement of SAFETEA-LU.</p> <p>The 2004 RTP (Appendix H) included an extensive account of the public outreach and participation effort undertaken in connection with preparation of the 2004 RTP. The public outreach efforts are listed in an easy to read format listed by SCAG subregion and also in chronological order. The public outreach appendix also includes an index of public comments and responses for the 2004 RTP in tabular format. As stated in Appendix H of the 2004 RTP, the outreach process included 250 public outreach events, reaching 5,000 participants. In addition, there were ten public workshops, fifteen events targeted at environmental justice audiences, and ten fact sheets about SCAG and the RTP available in English and Spanish.</p> <p>The 2004 RTP Final EIR included a list of persons who commented on the Draft EIR, responses to those comments, and any other relevant information. The Final EIR, prepared pursuant to CEQA Guidelines Section 15132, responded to comments received on the Draft EIR. The 2004 Final EIR included a table of commenting individuals and organizations and full responses to each comment on the Draft EIR.</p>

Response to Comments
ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<ul style="list-style-type: none"> Document public outreach/involvement and RTP processes using visualization techniques. (continued) 	<p>The outreach effort conducted as part of the Administrative Amendment with regard to environmental mitigation was extensive. SCAG held two public workshops in October 2006 to solicit input on the 2004 RTP environmental mitigation measures. The result of the outreach is reflected in the Administrative Amendment and will be included in the next RTP update as applicable.</p> <p>SCAG invited over 300 key contacts to the environmental mitigation workshops held on October 10 and 12, 2006. To initiate consultation with key contacts, SCAG first sent an invitation letter and attached a list of mitigation measures from the 2004 RTP EIR. The contacts included all the planning directors in the region as well as Federal, State, Tribal, land use planning, natural resource, wildlife, environmental protection, historic preservation, conservation, and transportation agencies.</p> <p>SCAG also developed an informative flyer, describing the expanded outreach effort, and distributed it throughout the region. The flyers were distributed to SCAG's Regional Council, Energy and Environment Committee, Transportation and Communications Committee, the Community Economic and Human Development Committee, Plans and Programs Technical Advisory Committee, Open Space Working Group, Energy Working Group, Transportation Conformity Working Group, and Subregional Coordinators. These groups are comprised of elected officials, federal and state agencies, resource agencies, tribal governments, interest groups, and other stakeholders in the region.</p> <p>SCAG personally followed up with approximately 50 key contacts with a phone call and encouraged their participation. This personal outreach included the U.S. Environmental Protection Agency, the Federal Highway Administration, the U.S. Army Corps of Engineers, the U.S.D.A. Forest Service, the National Marine and Fisheries, Caltrans, California Department of Fish and Game, and all tribal chairs.</p> <p>Lastly, SCAG publicized the environmental mitigation workshops online and included information about the workshops in SCAG's E-Vision September newsletter which has a distribution of approximately 1,500. A full list of the contacts and outreach materials can be found in Appendix D of the Administrative Amendment to the 2004 RTP, Expanded Consultation Conducted in October 2006.</p> <p>The environmental mitigation workshops drew 32 participants from various agencies, municipalities, and interest groups. The results of the workshop, including attendee lists are fully documented in Appendix D of the 'Gap Analysis'.</p> <p>Visualization techniques were employed throughout the 2004 RTP and RTP EIR. Both documents are intended for the lay audience. Both documents made extensive use of reader friendly tables, charts and figures. As stated on pages 4 through 5 of the Administrative Amendment, conservation plans and maps as well as inventories of natural or historic resources were considered in the 2004 RTP EIR. The 28 GIS maps from the 2004 RTP EIR which specifically address the RTP's potential impacts on existing natural, historical and cultural resources are provided in Appendix B of the Administrative Amendment.</p> <p>SCAG has prepared a Response to Comments document to address the issues raised during the consultation process with the resource agencies (the environmental mitigation workshops in October 2006). These comments and responses are included in Appendix D of the Administrative Amendment.</p> <p>The record of consultation efforts for the expanded consultation with resource agencies is contained in Appendix D. The consultation conducted during the 2004 cycle is well documented in Appendix H of the 2004 RTP. SCAG will work with FHWA and FTA staffs to identify further methods to improve the success of the consultation effort.</p>
			<ul style="list-style-type: none"> Please identify how you plan to respond to comments received during the consultation process with the resource agencies on your 2004 RTP? How will those comments be addressed? 	
			<ul style="list-style-type: none"> SCAG sent out letters for the 2004 cycle and did not get much of a response. What action will be taken to expand the consultation involvement with resource agencies in 2008? What efforts will be made to inform/discuss the RTP with the other agencies? Do you have a record of your outreach attempts with resource agencies? 	

Response to Comments
ADMINISTRATIVE AMENDMENT (SAFETEA-LU GAP ANALYSIS) to the 2004 REGIONAL TRANSPORTATION PLAN

REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>Comment 5 Environmental Mitigation Activities Environmental mitigation activities should be addressed for current and future plans. Thus, there could be both short-term changes to the current RTP (if any) and long-term changes to the process for the next RTP. The mitigation workshops are an example of an action taken for the current RTP.</p> <p>Requested Action Please explain the purpose of the workshops, note key findings and if the 2004 RTP was revised based on the workshops. Also, identify what action you will take as a result of these meetings.</p>	<p>No substantive comments have been received on the 2004 RTP mitigation measures, therefore no changes to the current plan's mitigation measures are proposed. All clarifications and expansions of mitigation measures identified will be considered in the development of the 2007/2008 RTP and the identified mitigation measures, along with other measures, will be revised as appropriate.</p> <p>The mitigation measures in the 2004 EIR identified strategies to reduce the negative impacts of population growth, such as traffic congestion and poor air quality. As discussed on page 22 of the Administrative Amendment, the EIR mitigation program listed 195 mitigation measures by resource category and identified a monitoring program to ensure compliance. The mitigation measures were directly linked to the goals, performance outcomes and policies of the 2004 RTP. The 2004 RTP and 2004 RTP EIR share the goals of sustaining mobility, fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations.</p> <p>The purpose of the environmental mitigation workshops was to obtain additional input on the 2004 RTP EIR mitigation measures and to address them in the gap analysis, as feasible. This effort addressed SAFETEA-LU's requirement that "a long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan." In addition, this effort addressed the SAFETEA-LU requirement that "the discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies." SCAG intends to continue to improve the RTP mitigation measures and to make them as useful as possible for use in subsequent environmental documents for specific projects.</p> <p>Each workshop began with a presentation by SCAG that discussed both the 2004 RTP and the SAFETEA-LU requirements and the mitigation measures included in the 2004 RTP EIR. The second half of the workshop encouraged discussion and comments from the participants. The discussion questions posed by SCAG included the following:</p> <ul style="list-style-type: none"> • How could the current mitigation measures included in the 2004 RTP EIR be written to be of more assistance to you/your agency when writing Tier 2 documents? • Can you identify additional measures/performance standards that could reduce the number/volume of Tier 2 documents that you prepare? • For trustee and resource agencies, please provide your thoughts on whether there are technical details and/or more specific performance standards that could be reasonably used to help identify and protect important regional resources. <p>The discussion during the workshop on October 10th focused on mitigation to protect open space and critical habitat, mitigation monitoring, and implementation of the mitigation measures. The discussion during the workshop on October 12th focused on how SCAG's efforts could streamline environmental planning. One action resulting from the workshops includes a response to all the comments received as part of the environmental mitigation workshops. This document is included in Appendix D of the Administrative Amendment.</p>

Response to Comments
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REC DATE	NAME	AFFILIATION	COMMENT	RESPONSE
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>Requested Action (continued) Please explain the purpose of the workshops, note key findings and if the 2004 RTP was revised based on the workshops. Also, identify what action you will take as a result of these meetings.</p>	<p>SCAG also received four letters in response to the mitigation outreach effort from the City of Rancho Palos Verdes, National Marine Fisheries Service, County of Ventura, U.S. EPA. These letters are included in Appendix D. In general, the letters identified areas where SCAG and the respective agency could work together to ensure greater consistency in mitigation programs. The U.S. EPA also requested more information about SCAG's methodology and implementation strategy. In response to the letter from the U.S. EPA, SCAG held a follow up conference call on November 16, 2006 to explain the mitigation measures in the 2004 RTP EIR and to discuss how SCAG will implement SAFETEA-LU in the next RTP.</p> <p>As SCAG prepares the next RTP, the comments received during the expanded consultation will be incorporated to the maximum extent feasible. Future planning activities, including environmental mitigation discussions, will be developed with the key agencies identified in SAFETEA-LU. Furthermore, as in previous RTP's, the next RTP will include a mitigation program, creating additional linkages between transportation planning and the environment as required by SAFETEA-LU. SCAG will use the input received at the workshops to further assist lead agencies with environmental documents for subsequent projects, or tiered documents. The RTP update will also include a mitigation discussion and utilize documents created by the federal agencies to guide environmental planning for transportation projects.</p> <p>At the same time as the next RTP is being prepared, SCAG is also preparing an update to the RCP, which will feature nine chapters; each based on a specific area of planning or resource management. The resource areas include land use and housing, solid and hazardous waste, energy, air quality, open space and habitat, economy, water, transportation, security and emergency preparedness, and finance. The RCP will be coordinated with the RTP. The RCP will serve as a model for coordinating State, local, and regional planning processes, and for directing innovative regulatory and financial tools for plan implementation. SCAG will also explore ways to protect wildlife corridors, particularly through the Open Space Working Group and the Regional Comprehensive Plan's (RCP) Open Space and Habitat Chapter. More information on SCAG's RCP update is located at http://scag.ca.gov/rcp/.</p> <p>The final document will be titled 'Administrative Amendment' as suggested.</p>
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>The term <i>administrative modification</i> as used in the Notice of Proposed Rule Making (June, 2005) applies to Transportation Improvement Program (TIP) documents. It does not apply to policy documents such as the gap analysis. If possible, SCAG should use a different term for this exercise, such as administrative amendment.</p>	
12/13/06	Gene Fong Division Administrator	USDOT/FHWA	<p>The RTP needs to also be addressed, and SCAG staff is awaiting guidance from FHWA. While we anticipate meeting with SCAG staff in January (07), SCAG may want to contemplate the following items for the gap analysis on the RTP: addition of the 4th year of projects; documentation of expanded consultation and public involvement on the development of the RTP; have project selection criteria been reviewed to ensure that they reflect safety priorities; and consideration of the Strategic Highway Safety Plan in the development of the RTP.</p>	<p>The 'Gap Analysis' associated with RTP is being developed separately. All of these issues will be addressed through this RTP Gap Analysis.</p>